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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,637	02/19/2004	Kosei Takiishi	249104US8	1879
22850 7590 04/09/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER ALHIJA, SAIF A	
			ART UNIT 2128	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		04/09/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/780,637	Applicant(s) TAKIISHI ET AL.	
	Examiner Saif A. Alhija	Art Unit 2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2128

DETAILED ACTION

1. Claims 1-8 have been presented for examination.

Response to Arguments

2. i) A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 20 February 2007 has been entered.

ii) Applicant's arguments filed 20 February 2007 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

MPEP 2106 recites:

The claimed invention as a whole must accomplish a practical application. That is, it must produce a "useful, concrete and tangible result" State Street 149 F.3d at 1373, 47 USPQ2d at 1601-02. A process that consists solely of the manipulation of an abstract idea is not concrete or tangibles. See *In re Warmerdam*, 33 F.3d 1354, 1360, 31 USPQ2d 1754, 1759 (Fed.Cir. 1994). See also *Schrader*, 22 F.3d at 295, 30 USPQ2d at 1459.

3. **Claims 1-8 are rejected** under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

i) The claims recite a data storage unit however it appears that the resultant of the claims, the generated propagation paths, is not stored. Therefore the claims do not produce a useful, concrete, and tangible result.

Appropriate correction is required.

All claims dependent upon a rejected base claim are rejected by virtue of their dependency.

Art Unit: 2128

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim(s) 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coulson et al. "A Statistical Basis for Lognormal Shadowing Effects in Multipath Fading Channels" IEEE 1998, hereafter Coulson, in view of Zhao "MULTIPATH PROPAGATION CHARACTERIZATION FOR TERRESTRIAL MOBILE AND FIXED MICROWAVE COMMUNICATIONS," hereafter Zhao.

Regarding Claim 1:

Coulson discloses A time-varying multi-path generating apparatus for simulating multi-path fluctuations in radio communications, comprising:

Art Unit: 2128

a parameter control unit for controlling a plurality of conditions for generating a plurality of propagation paths, the conditions being parameters and data files, (Coulson. Page 495, Section II, Multipath Propagation Model)

a data storage unit for storing the parameters and data files for generating the propagation paths, (Coulson. Page 495, Section II, Multipath Propagation Model)

a random number generating unit for generating and outputting a plurality of random numbers based on a random number parameter provided by the parameter control unit, (Coulson. Page 494, Introduction, Random Variables, RV's)

and a propagation path generating unit for generating a plurality of time-varying propagation paths, (Coulson. Page 495, Figure 2, Channel Fading Model. Page 495, Figure 3, Time Domain representation of channel)

wherein a plurality of time-varying amplitude functions and a plurality of time-varying phase functions are generated based on the parameters and data files for propagation path generation stored in the data storage unit, and the random numbers generated by the random number generating unit, (Coulson. Page 497, Section III (C), Random Variables for Monte Carlo Simulation)

the time-varying amplitude functions are aligned serially in the time domain such that a time-varying shadow amplitude function is obtained, which is repeated N times, where N represents the number of the propagation paths, resulting in N time-varying shadow amplitude functions, (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3)

the time-varying phase functions are aligned serially in the time domain such that a time-varying shadow phase function is obtained, which is repeated N times, where N represents the number of the propagation paths, resulting in N time-varying shadow phase functions, (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3)

an initial amplitude, an initial phase, an initial time delay, and an initial arrival direction are generated as the propagation path parameters of a propagation path using random numbers provided by the random number generating unit based on the initial value generation parameters stored in the data storage unit, (Coulson. Page 495,

Art Unit: 2128

Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3)

and the time-varying shadow amplitude functions and the time-varying shadow phase functions are superimposed on the initial amplitude and the initial phase, respectively, for generating a plurality of time-varying propagation paths, (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3. Title and purpose of the reference is determination of shadowing effects in multipath propagation)

Coulson does not explicitly disclose wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E_1 and E_2 that are electric field strengths of radio propagation paths diffracted by knife-edges.

However Zhao discloses wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E_1 and E_2 that are electric field strengths of radio propagation paths diffracted by knife-edges. (Zhao. Page 9, Introduction, Paragraph 4, EM Wave Reflection. Page 13, Section 2.4.1, Figure 3, Knife Edge Diffraction. In addition, propagation paths are brought together with a RAKE receiver which can be seen on Page 27, Figure 10; for example)

Coulson and Zhao are analogous art in that they both deal with multipath propagation.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the calculations of Zhao with respect to knife diffraction with the calculations of Coulson since knife-edge diffraction is a known issue in multipath propagation as can be seen in Zhao on page 11, Section 2.1, Introduction, Paragraph 3. Obstacles in mobile communications are often modeled as knife-edges and must be considered when computing propagation information.

Regarding Claim 2:

Coulson discloses A time-varying multi-path generating apparatus for simulating multi-path fluctuations in radio communications, comprising:

Art Unit: 2128

a parameter control unit for controlling a plurality of conditions for generating a plurality of propagation paths, the conditions being parameters and data files, **(Coulson. Page 495, Section II, Multipath Propagation Model)**

a data storage unit for storing the parameters and data files for generating the propagation paths, **(Coulson. Page 495, Section II, Multipath Propagation Model)**

a random number generating unit for generating and outputting a plurality of random numbers based on a random number parameter provided by the parameter control unit, **(Coulson. Page 494, Introduction, Random Variables, RV's)**

a time-varying function generating unit for generating and outputting a plurality of time-varying amplitude functions and time-varying phase functions, serving as shadow characteristics of the propagation paths based on a shadow parameter stored in the data storage unit and the random numbers provided by the random number generating unit, **(Coulson. Page 497, Section III (C), Random Variables for Monte Carlo Simulation)**

and a propagation path generating unit for generating a plurality of time-varying propagation paths, **(Coulson. Page 495, Section II, Multipath Propagation Model)** wherein

the time-varying amplitude functions and the time-varying phase functions generated and provided by the time-varying function generating unit are aligned serially in the time domain such that a time-varying shadow amplitude function and a time-varying shadow phase function, respectively, are obtained, which obtaining is repeated N times, where N represents the number of the propagation paths, resulting in N time-varying shadow amplitude functions and N time-varying shadow phase functions, respectively, **(Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3)**

an initial amplitude, an initial phase, an initial time delay, and an initial arrival direction are generated as the propagation path parameters of a propagation path using the random numbers provided by the random number generating unit based on initial value generation parameters stored in the data storage unit, **(Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay.)**

and the time-varying shadow amplitude function and the time-varying shadow phase function are superimposed on the initial amplitude and the initial phase, respectively, for generating a plurality of time-varying

Art Unit: 2128

propagation paths. (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Title and purpose of the reference is determination of shadowing effects in multipath propagation)

Coulson does not explicitly disclose wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E_1 and E_2 that are electric field strengths of radio propagation paths diffracted by knife-edges.

However Zhao discloses wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E_1 and E_2 that are electric field strengths of radio propagation paths diffracted by knife-edges.

(Zhao. Page 9, Introduction, Paragraph 4, EM Wave Reflection. Page 13, Section 2.4.1, Figure 3, Knife Edge Defraction. In addition, propagation paths are brought together with a RAKE receiver which can be seen on Page 27, Figure 10, for example)

Coulson and Zhao are analogous art in that they both deal with multipath propagation.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the calculations of Zhao with respect to knife diffraction with the calculations of Coulson since knife-edge diffraction is a known issue in multipath propagation as can be seen in Zhao on page 11, Section 2.1, Introduction, Paragraph 3. Obstacles in mobile communications are often modeled as knife-edges and must be considered when computing propagation information.

Regarding Claim 3:

Coulson discloses The time-varying multi-path generating apparatus as claimed in claim 1, wherein the propagation path generating unit generates the time-varying amplitude functions and the time-varying phase functions using the random numbers generated by the random number generating unit; the random numbers have correlations corresponding to inter-parameter correlation characteristics related to an arriving propagation path angle difference that is stored in the data storage unit for each of the propagation paths; and a shadow time interval, a shadow amplitude, and a shadow occurrence time interval are generated as correlated random numbers that are used as constant parameters of a time-varying function. (Coulson. Page 494, Introduction, Random Variables, RV's.

Art Unit: 2128

Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Title and purpose of the reference is determination of shadowing effects in multipath propagation)

Regarding Claim 4:

Coulson discloses The time-varying multi-path generating apparatus as claimed in claim 1, wherein the propagation path generating unit adds a time-varying phase rotation to the time-varying phase characteristic of each time-varying propagation path by calculating the time-varying rotation due to the Doppler effect based on a moving speed of a mobile station, the moving speed being provided by the parameter control unit, and the initial arriving direction of each propagation path.

Coulson does not explicitly utilize Doppler effects however they are an inherent characteristic of mobile subscribers.

In addition, Zhao discloses The time-varying multi-path generating apparatus as claimed in claim 1, wherein the propagation path generating unit adds a time-varying phase rotation to the time-varying phase characteristic of each time-varying propagation path by calculating the time-varying rotation due to the Doppler effect based on a moving speed of a mobile station, the moving speed being provided by the parameter control unit, and the initial arriving direction of each propagation path. (Zhao. Page 24, Paragraph 1, Small Scale and Large Scale Fading, Mobile movement. Page 27, Section 4.3, Doppler Spectra)

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the Doppler calculations of Zhao with respect to the calculations of Coulson since it would be improper to model multipath propagation of mobile subscribers without taking into account movement of the subscribers.

Regarding Claim 5:

Coulson discloses The time-varying multi-path generating apparatus as claimed in claim 1, wherein: the data storage unit stores directional-gain pattern files of a plurality of antennas applicable to a mobile station, the directional-gain pattern files being provided by the parameter control unit, and containing information about directional gain, and the propagation path generating unit reads at least one of the directional-gain pattern files according to moving directions of the mobile station, calculates N propagation paths by multiplying the directional

Art Unit: 2128

gain to the initial amplitude of each propagation path to obtain N time-varying propagation paths, which is repeated M times, M being the number of the antennas, and $N \times M$ time-varying propagation paths are generated.

(Coulson. Page 495, Section II, Multipath Propagation Model)

Regarding Claim 6:

Coulson discloses A multi-path fading simulator, comprising:

the time-varying multi-path generating apparatus for generating N propagation paths for each of M antennas, **(Coulson. Page 495, Section II, Multipath Propagation Model)**

a propagation path output unit for dividing $M \times N$ complex amplitudes of the time-varying propagation paths provided by the time-varying multi-path generating apparatus into real parts and imaginary parts, and outputting the real parts and the imaginary parts in an analog form, **(Coulson. Page 495, Section II, Multipath Propagation Model)**

and a signal synthesizing unit, comprising:

at least one digital signal input terminal, at least one digital signal output terminal, **(Coulson. Page 495, Section II, Multipath Propagation Model)**

an orthogonal signal generating unit for generating a plurality of orthogonal input signals (Q component) based on a plurality of digital signals (I component) input through the digital signal-input terminal, **(Coulson. Page 495, Section II, Multipath Propagation Model)**

$2 \times M$ transversal circuits, each comprising $(N-1)$ delay elements that are cascaded, and N multipliers, **(Coulson. Page 495, Section II, Multipath Propagation Model)** wherein

each of the I component and the Q component is distributed to specific transversal circuits, **(Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay.)**

each of the N multipliers is provided with the respective real part, or the respective imaginary part, as applicable, output by the propagation path output unit, the real part or the imaginary part, as applicable, having an initial time delay, and the time delay of each multiplier is set equal to the time delay of the real part or the imaginary part, as applicable, **(Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay.)**

Art Unit: 2128

and each digital signal delayed by 0, one or more delay elements, as applicable, and the propagation path fluctuation that is represented by the real part or the imaginary part, as applicable, are multiplied, and (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay.)

M signal synthesizing units for adding the multiplication results of every delay time such that the I component and the Q component are obtained, for combining the I component and the Q component such that a digital signal is generated for each of M antennas, and for outputting the digital signal to the digital signal output terminal. (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay.)

Coulson does not explicitly disclose wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E1 and E2 that are electric field strengths of radio propagation paths diffracted by knife-edges.

However Zhao discloses wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E1 and E2 that are electric field strengths of radio propagation paths diffracted by knife-edges. (Zhao. Page 9, Introduction, Paragraph 4, EM Wave Reflection. Page 13, Section 2.4.1, Figure 3, Knife Edge Diffraction. In addition, propagation paths are brought together with a RAKE receiver which can be seen on Page 27, Figure 10, for example)

Coulson and Zhao are analogous art in that they both deal with multipath propagation.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the calculations of Zhao with respect to knife diffraction with the calculations of Coulson since knife-edge diffraction is a known issue in multipath propagation as can be seen in Zhao on page 11, Section 2.1, Introduction, Paragraph 3. Obstacles in mobile communications are often modeled as knife-edges and must be considered when computing propagation information.

Regarding Claim 7:

Coulson discloses A time-varying multi-path generating method for simulating multi-path fluctuations in radio communications, comprising:

Art Unit: 2128

a step wherein a plurality of propagation path generation parameters and data files of propagation paths to be generated are stored in a data storage unit, the data files comprising propagation path generation parameter files, antenna directional gain pattern files, and time-varying function constant parameter generation condition files, **(Coulson. Page 495, Section II, Multipath Propagation Model)**

a step wherein the parameter control unit reads the propagation path generation parameter files from the data storage unit **(Coulson. Page 495, Section II, Multipath Propagation Model)**

a step wherein the parameter control unit reads data files about M antennas, such as the antenna directional gain pattern files, from the data storage unit, **(Coulson. Page 495, Section II, Multipath Propagation Model)**

a step wherein the random number generating unit generates random numbers that fulfill propagation path parameter initial value generation conditions of a propagation path to be generated, **(Coulson. Page 494, Introduction, Random Variables, RV's)**

a step wherein the propagation path generating unit sets up initial conditions, such as initial amplitude values of N propagation path parameters based on the random numbers, **(Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3)**

a step wherein the N initial amplitude values and antenna directional gains to a direction of an incoming propagation path obtained from the antenna directional gain pattern file are multiplied to obtain N.times.M propagation path parameters, which parameters are set up, **(Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3)**

a step wherein the parameter control unit reads the time-varying function constant parameter generation condition files from the data storage unit,

a step wherein the propagation path generating unit generates time-varying function constant parameters based on random numbers generated by the random number generating unit, **(Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3)**

a step wherein the propagation path generating unit generates time-varying shadow amplitude characteristics and time-varying shadow phase characteristics of N propagation paths based on the time-varying

Art Unit: 2128

function constant parameters, and generates shadow fluctuation characteristics of the amplitude and the phase of each of the N propagation paths, (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Title and purpose of the reference is determination of shadowing effects in multipath propagation)

and a step wherein time-varying multi-paths are generated based on the generated shadow fluctuation characteristics. (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Title and purpose of the reference is determination of shadowing effects in multipath propagation)

Coulson does not explicitly disclose wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E1 and E2 that are electric field strengths of radio propagation paths diffracted by knife-edges.

However Zhao discloses wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E1 and E2 that are electric field strengths of radio propagation paths diffracted by knife-edges.

(Zhao. Page 9, Introduction, Paragraph 4, EM Wave Reflection. Page 13, Section 2.4.1, Figure 3, Knife Edge Diffraction. In addition, propagation paths are brought together with a RAKE receiver which can be seen on Page 27, Figure 10, for example)

Coulson and Zhao are analogous art in that they both deal with multipath propagation.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the calculations of Zhao with respect to knife diffraction with the calculations of Coulson since knife-edge diffraction is a known issue in multipath propagation as can be seen in Zhao on page 11, Section 2.1, Introduction, Paragraph 3. Obstacles in mobile communications are often modeled as knife-edges and must be considered when computing propagation information.

Regarding Claim 8:

Coulson discloses A time-varying multi-path generating method for simulating multi-path fluctuations in radio communications, comprising:

Art Unit: 2128

a step wherein a plurality of propagation path generation parameters and data files of propagation paths to be generated are stored in a data storage unit, the data files comprising propagation path generation parameter files, antenna directional gain pattern files, and time-varying function constant parameter generation condition files, (Coulson. Page 495, Section II, Multipath Propagation Model)

a step wherein the parameter control unit reads the propagation path generation parameter files from the data storage unit, (Coulson. Page 495, Section II, Multipath Propagation Model)

a step wherein the parameter control unit reads data files about M antennas, such as the antenna directional gain pattern files, from the data storage unit, a step wherein the random number generating unit generates random numbers that fulfill propagation path parameter initial value generation conditions of a propagation path to be generated, (Coulson. Page 494, Introduction, Random Variables, RV's)

a step wherein a propagation path generating unit sets up initial conditions, such as initial amplitude values of N propagation path parameters based on the random numbers, (Coulson. Page 494, Introduction, Random Variables, RV's)

a step wherein the N initial amplitude values and antenna directional gains corresponding to a direction of an incoming propagation path obtained from the antenna directional gain pattern file are multiplied to obtain N.times.M propagation path parameters, which parameters are set up, (Coulson. Page 495, Section II, Multipath Propagation Model)

a step wherein the parameter control unit specifies a calculation model based on the propagation path generation parameter files, (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3)

a step wherein the random number generating unit generates random numbers corresponding to shadow parameters, (Coulson. Page 494, Introduction, Random Variables, RV's)

a step wherein the time-varying function generating unit generates N time-varying functions for the specified calculation model based on the random numbers, (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Serial Alignment can be seen in Page 495, Figure 3)

and a step wherein, time-varying shadow amplitude characteristics and time-varying shadow phase characteristics are generated for N propagation paths based on the generated time-varying functions generated by the

Art Unit: 2128

propagation path generating unit, which amplitude characteristics and phase characteristics are multiplied by the amplitude and the phase, respectively, of each propagation path such that shadow fluctuation characteristics are generated, and (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Title and purpose of the reference is determination of shadowing effects in multipath propagation)

a step wherein time-varying multi-paths are generated based on the generated shadow fluctuation characteristics. (Coulson. Page 495, Section II, Equations 1-2. The equations utilize amplitude, phase, and time delay. Title and purpose of the reference is determination of shadowing effects in multipath propagation)

Coulson does not explicitly disclose wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E_1 and E_2 that are electric field strengths of radio propagation paths diffracted by knife-edges.

However Zhao discloses wherein, when generating the time varying propagation paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E_1 and E_2 that are electric field strengths of radio propagation paths diffracted by knife-edges.

(Zhao. Page 9, Introduction, Paragraph 4, EM Wave Reflection. Page 13, Section 2.4.1, Figure 3, Knife Edge Diffraction. In addition, propagation paths are brought together with a RAKE receiver which can be seen on Page 27, Figure 10, for example)

Coulson and Zhao are analogous art in that they both deal with multipath propagation.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the calculations of Zhao with respect to knife diffraction with the calculations of Coulson since knife-edge diffraction is a known issue in multipath propagation as can be seen in Zhao on page 11, Section 2.1, Introduction, Paragraph 3. Obstacles in mobile communications are often modeled as knife-edges and must be considered when computing propagation information.

Conclusion

5. All Claims are rejected.

Art Unit: 2128

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saif A. Alhija whose telephone number is (571) 272-8635. The examiner can normally be reached on M-F, 11:00-7:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on (571) 272-22792279. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAA

March 1, 2007

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